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## FACSIMILE COVER SHEET

**To:** Examiner Mina Haghighatian Group 1616

**Date:** April 28, 2005

**Facsimile No.:** (703) 872-9306

**From:** Carolyn S. Elmore, Esq.

**Subject:** **Paper:** Notice of Appeal  
**Docket No.:** 2685.2030 US  
**Applicants:** Jennifer L. Schmitke *et al.*  
**Serial No.:** 09/888,126  
**Filing Date:** June 22, 2001

Number of pages including this cover sheet: 3

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**Comments:**

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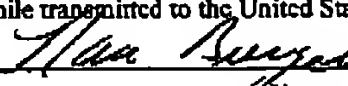

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS

Application No.: 09/888,126 Confirmation No.: 9053  
Applicant: Jennifer L. Schmitke, Donghao Chem, Richard P. Batycky, David A. Edwards and Jeffrey S. Hrkach  
Filed: June 22, 2001  
Examiner: Mina Haghighatian  
Docket No.: 2685.2030US  
Customer No.: 000038421

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For: Particles For Inhalation Having Rapid Release Properties

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Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated January 11, 2005 of the Primary Examiner finally rejecting claims 1, 3-18, 20-39 and 41-60. The item(s) checked below are appropriate:

1. ☒ Applicant hereby petitions to extend the time for filing a Notice of Appeal in response to the Office Action Made Final dated January 11, 2005 for one month from April 11, 2005 to May 11, 2005.
2. ☐ A ☐ month extension of time to respond to the Office Action Made Final dated ☐ was filed on ☐ with payment of a \$☐ fee.  
☐ Applicant hereby petitions for an additional ☐ month extension of time to respond to the Office Action Made Final.
3. ☐ A Request for Oral Hearing before the Board of Patent Appeals and Interferences is being filed concurrently herewith.

Docket Number: 2685.2030 US

4. Fees are submitted for the following:			
<input checked="" type="checkbox"/>	Extension of Time for one month	\$	120.00
<input type="checkbox"/>	Additional Extension of Time:		
	no.)	\$	
		\$	
	Balance of fee due	\$	0
<input checked="" type="checkbox"/>	Notice of Appeal	\$	500.00
<input type="checkbox"/>	Other	\$	
TOTAL			\$ 620.00

5. The method of payment for the total fees is as follows:

☐ A check in the amount of \$[ ] is enclosed.☒ Please charge Deposit Account No. 502807 in the amount of \$620.00.

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 502807.

Respectfully submitted,

ELMORE CRAIG, P.C.

By

Carolyn S. Elmore

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Date:

April 28, 2005